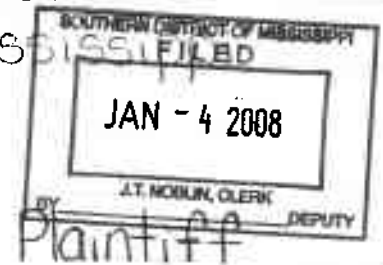


In The United States District Court
For The Southern District Of Mississippi
Southern Division



Johnny O'Bryant

versus Civil Action No. 1:07 cv 477 LG - RHW

Harrison County Adult Detention Center
Sheriff George H. Payne, Jr.,
Warden Donald A. Cabana,
Karl Stolze, Rick Gaston,
Harrison County, Mississippi,
Chaplain Joe Collins and
Rhondelyn Rogers

Defendants

Conspiracy, Bribery And Extortion
By Rick Gaston And Jim Davis

Before: United States Department Of Justice
Before: District Judge, Hon., Louis Guinolo, Jr.
Before: Magistrate Judge, Hon., Robert H. Walker

This matter comes before the court to show that Plaintiff are involved in a conspiracy, bribery and Extortion scheme by defendant Rick Gaston and attorney Jim Davis, who

also represented Gaston and Teel in the case United States v. Teel, (DN 37 and 38) and Jim Davis were also my criminal attorney during this time and still are until this present day as no judge has granted him permission to withdraw.

In April 2007 I forwarded Jim Davis a copy of my Amended Complaint (DN 7) to let him know I had been assaulted by Stolze and Gaston were deliberate indifference. I did not know Gaston, Stolze and others were on trial and that Jim Davis were representing Gaston, until later in the year.

However, Rick Gaston stated in (DN 72 and 73) that the U.S. Marshall served him in court with a copy of my complaint while on trial in the Teel case and Jim Davis now knew further that he had two clients on two separate criminal charges and I was suing the other. He made no effort to remove himself until he re-represented Gaston in a Civil Service Complaint to get his job back.

On or about November 25, 2007, Jim Davis came to visit me and told me point blank

that if I dropped my claim against Gaston he would consider re-representing me. I discovered sometime later that he sent me a delayed letter saying he was off my case although no judge had given him permission.


Jim Davis, further violated the attorney-client privilege by turning over confidential information to the Public Defender's Office so he could drop my case and represent Gaston. Jim Davis, violated federal and state laws by attempting to force me to drop my claim by quitting on my criminal case without a court order, bribing me to drop my claim and he would re-represent me.

When I refuse to drop my claim and told him, Jim Davis, I would be filing a Bar Complaint, on or about, December 12, 2007, he filed a motion to withdraw, yet he told me in October 2007 he had withdrawn. These action by Jim Davis is felonious in nature for the sole purpose of destroying my life to try and save the life of his alleged longtime friend and client Rick Gaston. Jim Davis is still on record as my criminal attorney.

Wherefore I pray for an immediate federal investigation into the illegal activities of Jim Davis and Rick Gaston. I further pray that the federal prosecutor's office bring criminal charges against Davis and Gaston,

And any and all further relief the court deem just and proper.

Respectfully Submitted, this the 27 day of
December, 2007

By 
Johnny O'Bryant

JIM DAVIS
Attorney-at-Law
1904 24th Avenue
Post Office Box 1839
Gulfport, MS 39502
Phone: (228) 864-1588 Fax: (228) 863-5008

December 10, 2007

Gayle Parker, Clerk
Harrison County Circuit Court
First Judicial District
Post Office Box 998
Gulfport, MS 39502

Re: State of Mississippi v. Johnny O'Bryant
Cause No.: NYI

Dear Gayle:

~~Please find enclosed our Motion to Withdraw~~ in the above referenced matter. Please file in your usual and customary manner. By copy of this letter, I am forwarding a copy of same to the persons listed below.

Thank you in advance for your assistance.

I remain, as always

Very truly yours,



JIM DAVIS

JD/mwc

Enclosure

cc: Public Defender's Office
Johnny O/Bryant

Exhibit 33a

**IN THE CIRCUIT COURT OF HARRISON COUNTY, MISSISSIPPI
FIRST JUDICIAL DISTRICT**

STATE OF MISSISSIPPI

PLAINTIFF

VERSUS

CAUSE NO.: NYI

JOHNNY O'BRYANT

DEFENDANT

MOTION

THIS DAY, this cause came upon the Motion of the Defendant's court appointed attorney, the Honorable Jim Davis, to allow him to withdraw from representing the Defendant herein, and he states unto the Court the following, to-wit:

1. The Honorable Jim Davis represented Ryan Teel in his federal case wherein he was charged with violating the civil rights of inmates at the Harrison County Adult Detention Center.
2. One of the co-defendants was Rick Gaston, who is a lifelong friend of the undersigned Jim Davis, and the Honorable Jim Davis has represented Rick Gaston in the past and is currently representing him in his Civil Service claim against Harrison County, Mississippi.
3. The Defendant, Johnny O'Bryant, has filed a lawsuit against various individuals including Rick Gaston.
4. The Honorable Jim Davis was willing not to represent Mr. Gaston in this proceeding and attempted to discuss it with Johnny O'Bryant to waive any conflict and, potentially, since his claim is not actually against Mr. Gaston, it is against Harrison County, Mississippi, considered dismissing the claim against Mr. Gaston so the Honorable Jim Davis can proceed as his attorney. Johnny O'Bryant adamantly refused and stated he felt that the Honorable Jim Davis did have a conflict with him.
5. The Defendant indicated he was not happy with Mr. Davis' representation, the Office of Capital Defense Counsel group and further, was unhappy with anyone that he has come into contact with at this time, including the Harrison County Public Defender's office.

Exhibit #34

WHEREFORE PREMISES CONSIDERED, the Honorable Jim Davis requests he be allowed to withdraw from representing Johnny O'Bryant because he sees a potential conflict of interest between Mr. O'Bryant's other lawsuits he has pending against the County.

RESPECTFULLY SUBMITTED, this the 10 day of 12, 2007.



JIM DAVIS
Attorney at Law

JIM DAVIS
Miss. Bar No. 5830
Post Office Box 1839
Gulfport, MS 39502
Phone No. (228) 864-1588
Fax No. (228) 863-5008


CERTIFICATE OF SERVICE

I, JIM DAVIS, do hereby certify that I have this date forwarded, postage prepaid,
a true and correct copy of the foregoing MOTION TO WITHDRAW to the following, to-
wit:

Johnny O'Bryant
c/o Harrison County Adult Detention Center
10451 Larkin Smith Drive
Gulfport, MS 39503

Public Defender's Office
2600 24th Avenue
P. O. Drawer CC
Gulfport, MS

SO CERTIFIED, this the 10 day of 12 2007.



JIM DAVIS
Attorney at Law

JIM DAVIS
Miss. Bar No. 5830
Post Office Box 1839
Gulfport, MS 39502
Phone No. (228) 864-1588
Fax No. (228) 863-5008